

OLL85-1805/1  
27 June 1985

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MEMORANDUM FOR: Director, Office of Personnel

FROM:

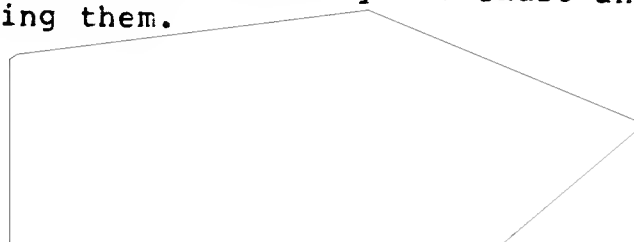
Legislation Division  
Office of Legislative Liaison

SUBJECT: Former Spouse Legislation

1. Gary Chase, Chief Counsel to the Senate Select Committee on Intelligence (SSCI), has noted in a recent letter to the Agency (which is attached) that the annual report on the administration of CIARDS indicates that enactment of the Civil Service Retirement Spouse Equity Act of 1984 (the "Spouse Equity Act") could lead to disparities between benefits available to former spouses of CIARDS as opposed to Civil Service participants. Mr. Chase has requested that the Agency analyze the situation created by enactment of the Spouse Equity Act and provide views on whether legislation to remedy this disparity is necessary and advisable. Should we decide that legislation is necessary, he has requested that the Agency draft the legislation as a service to the Committee. Mr. Chase has informally indicated that the legislation could be attached to the FY '86 Intelligence Authorization bill when that bill reaches the floor of the Senate.

2. The Office of General Counsel has been provided with a copy of Mr. Chase's letter and we have requested that they compare the eligibility criteria and benefits available to former spouses under CIARDS with the eligibility requirement and benefits available to former spouses under the Spouse Equity Act. Since Mr. Chase's letter requests that the Agency make a policy determination as to whether the disparity in benefits should be remedied through legislation, it is requested that the Office of Personnel provide its views on whether the Agency should recommend legislation to remedy the disparity between benefits available for former spouses of CIARDS participants and those available to former spouses of Civil Service participants as part of the FY '86 Intelligence Authorization Bill.

3. After the Office of General Counsel (OGC) and your office have had a chance to study this matter, I would suggest a meeting next week with appropriate individuals in your office and OGC to further discuss the issues raised by Mr. Chase and reach some resolution regarding them.



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Attachment  
as stated

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85-1305

Record

June 19, 1985

#85-2192

Mr. Charles A. Briggs, Director  
Office of Legislative Liaison  
Central Intelligence Agency  
Washington, D.C. 20505

Dear Chuck:

The Annual Report on the Administration of the Central Intelligence Agency Retirement and Disability System (Ruddock Report) for fiscal year 1984 notes at pages 27-28 that enactment of P.L. 98-615, the Civil Service Retirement Spouse Equity Act of 1984, could lead to disparities between benefits available to CIA former spouses under CIARDS as amended by the Central Intelligence Agency Spouses' Retirement Equity Act of 1982 (title VI of P.L. 97-269), and those available under the Civil Service Retirement System. Section 4(h) of P.L. 98-615 specifically forecloses use of section 292 of the CIA Retirement Act to remedy any such disparity by executive order.

We would like to have the Agency's analysis of the situation created by enactment of P.L. 98-615, along with the Agency's views as to whether additional legislation is necessary and advisable. If so, we would ask that the Agency provide such legislation as a drafting service to the Committee.

As you know, the Committee has a long-standing interest in former spouse equity issues. Your cooperation and assistance in this area is greatly appreciated.

Sincerely,



Gary M. Chase  
Chief Counsel